

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:19-CV-00044-GCM**

EDWARD WILLIAMS III,

Plaintiff,

v.

ARTHUR SICIAK,

Defendant.

ORDER

THIS MATTER comes before the Court on the Motion to Withdraw by Plaintiff (ECF No. 75). Counsel for the Plaintiff seek an Order allowing them to withdraw as attorneys of record, stating only that the Plaintiff and his attorneys are “in disagreement with the direction that the case should take going forward” and that Plaintiff “wishes to engage other counsel.” ECF No. 75 at 1.

This motion does not comply with the local rules. The relevant rule states:

[C]ounsel seeking to withdraw must file written consent of their client to their withdrawal, which shall become effective only upon Court approval. Absent the client’s consent, withdrawal may be obtained by filing a motion to withdraw, showing good cause for the withdrawal. The motion must include the client’s last known address.

Local Civil Rule 83.1(f). Counsel’s motion does not include written consent by the client. Nor does it show “good cause,” aside from a single vague sentence. *See* N.C. Rules of Pro. Conduct r. 1.16(b) (outlining when a lawyer may withdraw). Finally, the motion does not include a last known address for the client.¹

¹ This defect is more technical than the others, as the Court is aware that Plaintiff is incarcerated at Pender Correctional Institution.

The motion will be denied without prejudice for failure to comply with the local rules. Counsel shall file another motion that includes the requisite details. The Court will also convene a telephonic status conference to consider the motion, keeping in mind that the trial date for this matter is a mere three weeks away.

IT IS THEREFORE ORDERED that:

1. The Motion to Withdraw (ECF No. 75) is **DENIED WITHOUT PREJUDICE** for failure to comply with the local rules.
2. Counsel for Plaintiff are directed to **FILE A NEW MOTION** to withdraw including the requisite information no later than May 12, 2022.
3. The Clerk is directed to **CALENDAR A TELEPHONIC STATUS CONFERENCE** for May 19, 2022 at 1 pm.
4. Counsel for Defendant shall **MAKE ALL NECESSARY ARRANGEMENTS** for Plaintiff to be present at the telephonic hearing.

SO ORDERED.

Signed: May 9, 2022



Graham C. Mullen
United States District Judge

